

### REMARKS

Claims 1,2, 10-12, 22-24 and 29 have been cancelled. Claim 30 has been added and claims 3, 8, 16 and 28 have been amended. Support for added claim 30 can be found in the specification on page 13, lines 7-8. Support for the amendment to claims 3, 8, 16 and 28 can be found in the specification on page 14, lines 10-21. Claims 3-30 remain pending.

Fig. 2 has been amended to correct an obvious error with respect to the annotation identifying the stop codon of the *mugA* gene as being nucleotides 2618-2620 of SEQ ID. NO. 1. One skilled in the art would recognize that the annotation identifying the stop codon of the *mugA* gene set forth in originally filed Fig. 2 is obviously erroneous in view of Fig. 3a and that its appropriate correction is the annotation shown in amended Fig. 2 identifying the stop codon of the *mugA* gene as being nucleotides 2608-2610 of SEQ ID. NO. 1.

The restriction requirement, objections and rejections of the Examiner shall be taken up in the order presented in the Office Action.

1. Applicant elects claims 3-28, drawn to a mutant strain of *V.anguillarum*, vaccines comprising said strain and immunization methods utilizing said strain, classified in class 424, subclass 234.1, for prosecution. Accordingly, claims 1, 2 and 29 have been cancelled.
2. The specification has been objected to as containing sequences that do not comply with the requirements set forth in 37 C.F.R. §1.821 *et seq.* The specification has been amended in view of the objection. Also, enclosed herewith is a paper copy of the sequences set forth in the specification, a computer readable copy of the sequences and the required statement regarding the content of the sequences.

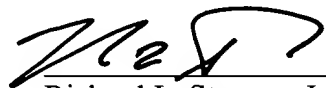
4. Claims 3-28 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. It is submitted that the amendments to claims 3,8, 16 and 28 have obviated the rejection.

6. Claims 3-28 have been rejected under 35 U.S.C. §112, first paragraph, as being non-enabled. It is submitted that the amendments to claims 3,8, 16 and 28 have obviated the rejection.

7. Claims 3-28 have been rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one of skill in the art that the inventor, at the time the application was filed, had possession of the claimed invention. It is submitted that the amendments to claims 3,8, 16 and 28 have obviated the rejection.

It is respectfully submitted that the claims are now in condition for allowance and an early indication of the same is respectfully requested.

Respectfully submitted,



---

Richard L. Stevens, Jr.  
Registration No. 44,357  
Samuels, Gauthier & Stevens  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
Telephone: (617) 426-9180  
Extension: 123